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The Honourable Larry Grossman, Q.C., Minister
George R. Podrebarac, Deputy Minister

Manual for the Ontario Student Record (OSR) System

Revised edition, 1985

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Introduction

"It is the duty of a principal . . . to establish and maintain, and to retain, transfer and dispose of, in the manner prescribed by the regulations, a record in respect of each pupil enrolled in the school" (Education Act, section 236(d)).

The legislation governing pupil records is embodied in the Education Act and Regulation 271, "Pupil Records".

This legislation is the result of societal demands for a careful application of controls to guarantee privacy to pupils and their families.

The legislation balances the need for personal privacy with the need of school personnel for student information. Thus, the pupil information collected and maintained is restricted to that which will help principals and teachers to develop appropriate programs of instruction for their pupils.

The pupil records legislation provides for control of the use of, access to, and maintenance of information about the pupil, even long after his or her retirement from school. It gives to the adult student, and to parents or guardians of students who are not adults, the right to question the information collected and to request that it be removed from the record.

This 1985 revision of the *Manual for the Ontario Student Record System* replaces the 1978 edition. It is designed to assist principals, teachers, and others who are responsible for the maintenance of pupil records in Ontario. The final authorities regarding pupil records in Ontario are the Education Act, section 237, and Ontario Regulation 271, "Pupil Records".

The pupil record enables educators to chart the progress of each pupil by recording such facts as schools attended, studies undertaken, and results achieved in these studies. Any other information may be inserted in the Student Record folder if, in the opinion of the principal, the information will serve as an aid to the improvement of instruction.

This manual contains technical information regarding the collection, maintenance, and release of data about students. Students, their parents, and school staff members are all involved in this process and should all understand and fulfil their particular responsibilities as noted in this manual.

All information entered into the OSR system should be complete, accurate, current, and pertinent.

1. Implementation

A pupil record established up to and including August 31, 1985, shall use the OSR folder referred to as Form 1. A pupil record established on or after September 1, 1985, shall use the OSR folder referred to as Form 1A.

All schools must meet the new OSR policy regulations beginning September 1, 1985. Doing so will entail either establishing a new OSR folder for new pupils or making minor changes to existing OSR folders so that they correspond to Form 1A.

The changes to be made to Form 1 shall include:

- Part A on Form 1: using board-assigned student number, where applicable, and discontinuing use of social insurance number;
- Part B on Form 1: using grade designation instead of achievement form number. If a pupil does not have a grade designation, enter "U" for "ungraded";
- Part C on Form 1: inserting into each secondary school OSR folder a current Ontario Student Transcript;
- Part H on Form 1: including information on immunization and, where applicable, information related to Linkage program and Supervised Alternative Learning for Excused Pupils (SALEP) program;
- inserting a documentation file, where applicable.

Existing office index cards need not be revised if the cards meet the current requirements as outlined in Regulation 271. Custody information, where applicable, shall be included, and procedure to be followed in respect of an identified health condition may be included.

2. Pupil Records

In compliance with Regulation 271, an Ontario Student Record:

a) shall consist of the following:

- an Ontario Student Record folder
- report cards
- an Ontario Student Transcript
- a documentation file, where applicable
- an office index card
- a Student Record of Accumulated Instruction in French as a Second Language

b) and may include:

- documents, photographs, and additional written information that in the opinion of the principal should form part of the pupil record

3. Establishment of Record

A pupil record shall be established when the pupil first enrols in an Ontario school.

3.1 Change of Name

Where a pupil is known by a surname other than the pupil's legal name, and where the principal is satisfied that such name is obtained by repute and that its use is in the best interest of the pupil, the principal shall, at the written request of the parent or guardian that the pupil be identified by that surname, record the requested surname in Part A of the record folder in addition to the legal surname of the pupil, and the requested surname shall be used henceforth. The legal surname shall be enclosed in brackets in this case.

Where a principal receives a document that establishes to the principal's satisfaction that a pupil in respect of whom the principal maintains a pupil record has had his or her name changed, either by marriage or in accordance with the law of the province, state, or country in which the document was made, the principal shall file the document or a notarial copy thereof in the record folder and shall change the name of the pupil on the record folder, the report cards, and the index card. Thereafter, reference to such record folder, report cards, and index card shall be made as if the record had originally been established in the name as changed.

3.2 Adoption

Where a principal receives notice in writing, signed by a director of child welfare or by a local director of the Children's Aid Society, that a pupil has been legally placed for adoption or that such a placement has been terminated, the principal shall refer to Ontario Regulation 271, section 8, subsection 5, 6, or 7, for procedures to be followed. The guiding principle of these provisions is that the pupil record should not reveal a pupil's placement for adoption.

4. Ontario Student Record Folder

Directions for recording student data are as follows.

4.1 Name, Student Number, and Birthdate

Part A. This part shall be completed when a person enters the school system of Ontario for the first time and an Ontario Student Record folder is initiated. The record shall indicate the method of verification of the name and date of birth (year, month, day) of the pupil. Because the school record will be one of the few official sources of the legal name and birthdate of a person, only written proof of birth should be accepted. An initial by a school official in the appropriate place will show that the birthdate has been verified. Where applicable, a student number assigned by the board may be added to the folder. The social insurance number is not to be added to the folder.

4.2 Schools Attended

Part B. At least one entry shall be made in this part in each school year.

- Each time a pupil begins or completes a period of time in school, the year, month, and day shall be entered in Part B.
- If a pupil leaves prior to the end of the school year, enter in the "Last Date of Attendance" column the last date on which the pupil was registered in the school. If the pupil completes the school year, enter in the "Last Date of Attendance" column the last day of the school year.

The name of the teacher who has primary responsibility for the pupil shall be recorded in the column headed "Teacher Contact".

In the column headed "Grade", schools shall enter, where applicable, the grade in which the pupil is placed. If there is no grade designation (e.g., in self-contained special education classes), enter "U" for "ungraded".

4.3 Retirement From the Ontario School System

Part C (Form 1A) or Part J (Form 1). This part shall be completed when a pupil retires from the school system of Ontario. The address of the pupil, if known, shall be recorded. For a pupil who returns to the system, the date of re-entry shall be recorded in Part B.

4.4 Destination and Follow-up Information

Part C (Form 1A) or Part K (Form 1). The destination of the retiring pupil (e.g., postsecondary education, employment, or out-of-province location) and other follow-up information may be recorded in this part.

4.5 Names of Parents or Guardian

Part D. In this part, only the first names of the parents are to be recorded, except in cases where the surname of the parents differs from the surname of the pupil. Where applicable, the full name of the pupil's guardian shall be recorded in the space provided. Further information on guardianship is contained in Appendix I, "Custody and Guardianship of Minors".

If a parent or guardian of a pupil dies, the date of death shall be recorded opposite the name of that person.

4.6 Special Health Information

Part E. This part is intended to be a summary of any recommendations regarding the special health conditions of a pupil, when a parent gives this information to the school and when, in the opinion of the principal, such conditions are likely to interfere with the achievement of the pupil in school. It is not intended to be the pupil's health record.

The accuracy, currency, and completeness of the information in this part are particularly important.

The parent or guardian of a pupil under the age of eighteen years, or the adult pupil, shall be consulted before an entry is made in this part of the record folder.

Entries in this part of the record folder shall be kept current, and the date of each entry shall be recorded.

4.7 Photograph

Part F. Where a photograph of the pupil is placed in this part, the date shall be recorded on the photograph. The photograph should be replaced from time to time.

4.8 Co-instructional School Activities

Part G. Where a pupil is involved in a co-instructional activity, a record of his or her participation may be entered on the folder, indicating the period during which the activity took place.

4.9 Additional Information

Part H. The following shall be entered on the folder, where applicable.

4.9.1 Immunization Information

For children entering Kindergarten and Grade 1, the information will be collected as part of the Early Identification Program. The method by which this information is to be gathered will be worked out by local school board and health unit officials, but it is expected that the school principal's role will be to facilitate the collection of the immunization information.

Responsibility for maintaining immunization records will rest with officials of the local health unit.

Where immunization information has been received for a particular pupil, the date on which the information was received shall be recorded in Part H.

When a pupil transfers to another school, the principal of the receiving school will advise officials of the local health unit whether the pupil's Ontario Student Record includes immunization information for the pupil. If it does not, then it will be the responsibility of the officials of the health unit to obtain the immunization information from the health unit located in the jurisdiction of the sending school.

4.9.2 Supervised Alternative Learning Program

Information regarding a pupil under a Supervised Alternative Learning for Excused Pupils (SALEP) program, including the date the pupil began the program, shall be recorded in Part H of the record folder. A report of a Supervised Alternative Learning for Excused Pupils committee shall be inserted in the documentation file (see "Documentation File", section 7 of this manual).

4.9.3 Linkage Program

An entry must be made to indicate the pupil's participation in the Linkage program for a particular trade. Fully updated Linkage achievement records shall be placed in the Ontario Student Record folder when the pupil transfers or retires from the program. The achievement record must be retained by the school for at least five years following the year in which the pupil leaves school. This practice enables the secondary school last attended by a pupil to provide a replacement record book to the pupil on request.

4.9.4 Other

The following are examples of additional information that may be entered in Part H or on a Part H insert:

- the current address and home telephone number of a pupil and an emergency telephone number;
- the results of teacher-administered standardized tests;
- notes regarding parent contacts, pupil interviews, and/or program decisions;
- referrals of the pupil, if any, to services or agencies;
- information regarding a talent or special ability of the pupil;
- out-of-school activities of the pupil;
- any other information that may, in the opinion of the principal, be beneficial to teachers in the instruction of the pupil.

Boards may wish to design their own form (see sample in Appendix D). The additional information or Part H insert may be destroyed five years after the pupil retires.

4.10 Special Achievements in School Activities

Part J. Any outstanding achievements and any awards or scholarships, and their dates, may be recorded in this part.

5. Ontario Student Transcript

On and after September 1, 1985, a secondary school course for which credit has been granted shall be recorded, using the common course code provided by the Minister, on the Ontario Student Transcript established for the pupil.

Students may be given a copy of their Ontario Student Transcript along with their graduation diploma.

The Ontario Student Transcript must be retained for a period of fifty-five years after the student has retired from school.

Two forms of the transcript are available:

- forms preprinted with the required boxes and columns onto which the necessary information may be typed or printed from a computer file;
- blank forms onto which the transcript in the OSR may be photocopied for the pupil.

5.1 Summer School, Evening, Continuing Education, and Correspondence Courses

A board shall establish an office index card and an Ontario Student Transcript and may establish a pupil record folder. The board is responsible for the maintenance and retention of the pupil record.

Where credits are awarded for completion of summer school, evening, continuing education, or correspondence courses, appropriate entries are to be recorded on the Ontario Student Transcript.

5.2 General and Biographical Information

Field	Value/Comment
Date of Issue:	YY.MM.DD (e.g., 85.06.30). Date on which transcript was issued.
Names:	Surname, first name, second name, third initial.
Student Number:	School student number.
Sex:	"M" or "F".
Birthdate:	YY.MM.DD.
Date of Entry:	YY.MM.DD. Date of first registration in school from which transcript is issued.

5.3 Academic Information—Courses Completed in an Ontario Secondary School Program and External Music Credits

Field	Value/Comment
Date:	YY.MM. Date on which course was successfully completed or on which credit for music course was granted.
Grade:	"9", "10", "11", "12", "13", or "OAC". Refers to course, not grade in which student is registered.
Course:	For courses completed after August 1985, use appropriate title (or abbreviation) from ministry course code table. For courses completed prior to September 1985, use title (or abbreviation) from ministry course code table that most accurately reflects course content or emphasis. Otherwise, use subject or course group title from course code table. NOTE: If language of instruction was French, use French title (or abbreviation) from course code table.
Course Code:	For courses completed after August 1985, use appropriate five-character code from ministry course code table. For courses completed prior to September 1985, schools *shall* use the common course titles from the ministry course code table and *may* use the appropriate five-character code. This applies only to students who were not enrolled in a secondary school as of September 1, 1985. Schools may print a sixth character on the OST.

Achievement:	For courses completed after August 1985, use 50–100. For courses completed prior to September 1985, use 50–100 or "A" (80–100), "B" (70–79.9), "C" (60–69.9), "D" (50–59.9). For external music, use average of appropriate marks.
Credit:	Use whole number and two decimals. For courses completed prior to the introduction of the credit system, leave blank.
Compulsory:	Mark with an "X" if course is one of the compulsory credits or is being substituted for one of the compulsory credits.
Level of Difficulty:	Indicate with an "X" the appropriate level. For modified level courses (available in the past), mark the "B/F" column. For courses completed prior to 1979–80, leave blank.
OAC:	Mark with an "X". NOTE: Upgraded courses must appear only once, with the higher or highest mark and appropriate date.
Summary of Credits:	Enter in appropriate columns: • total credits completed • total compulsory credits completed • total credits completed in each level of difficulty • total of OACs completed
Diploma or Certificate:	Use complete name or "SSHGD", "SSGD", "OSSD", "C of T", or "C of E".
Issue Date:	YY.MM. Date on which diploma or certificate was issued.
Hours of French Language Instruction:	Second-language instruction only (includes core, extended, and immersion programs).
Area of Concentration:	Business studies and technological studies only. Requires eight credits in designated subject area.
Authorization:	Signature of principal or designate. NOTE: If transcript requires more than one page, this space should indicate "Continued on page. . . ."

5.4 Academic Information—Courses not Completed in an Ontario Secondary School Program

Field	Value/Comment
Date:	YY.MM. Date on which equivalent credits were granted.
Grade:	Leave blank.
Course:	Enter type of equivalent standing granted: • maturity credits (QMA) • out-of-province secondary school credits (QSE) • apprenticeship credits (QAP) • equivalent education credits (QEE)
Course Code:	Leave blank or use appropriate codes.
Achievement:	Enter "EQV".
Compulsory:	Enter total number of equivalent credits that were counted towards compulsory credits for diploma or certificate.
Level of Difficulty:	Enter the total number of equivalent credits granted in each of the appropriate levels.

Summary of Credits:	Enter in appropriate columns: • total credits (including equivalent credits) • total compulsory credits (including equivalent credits) • total credits completed (including equivalent credits) in each level of difficulty • total OACs completed
Hours of French Language Instruction:	Include only if completed in an Ontario secondary school program.
Area of Concentration:	Include only if completed in an Ontario secondary school program. NOTE: The transcript on which the equivalent standing was granted should be attached to OST.

6. Report Cards

A board shall approve for use in its schools one or more report cards in the English or the French language.

The report card is the only detailed record of an individual pupil's program and achievement from Kindergarten to Grade 13. Because this information may be of considerable assistance to the pupil, the pupil's parents or guardians, postsecondary institutions, or potential employers, it is essential that the school:

- ensure that the parent or guardian of the minor pupil, or the adult pupil, receives an original or a true copy (i.e., a copy made directly from the original) of each report card;
- impress upon the recipient the importance of retaining these report cards, since the original or the true copy may be destroyed five years after the pupil's retirement from school.

6.1 When to Complete

A report card shall be completed for each pupil:

- at the end of the school year;
- at the end of each semester, if the school is organized on a semester plan;
- at the time of transfer or retirement, provided that the pupil has spent six weeks or more in the school.

6.2 Quality of Paper

The original or true copy of the report card for inclusion in the record folder shall be printed on paper that:

- is white and capable of retaining its whiteness;
- is sufficiently opaque to permit ink to be applied to both sides;
- is suitable for long-term storage.

6.3 Content

6.3.1 Required Data

Each report card shall indicate the full name of the pupil as recorded on the record folder. The report card shall contain the following:

- the name and address of the school;
- the name of the principal;
- the signature of the principal or the teacher or another school official designated by the principal (a facsimile of the principal's signature or a stamped signature is not acceptable in lieu of the signing requirements in Regulation 271, sections 25(1) and 25(2). Where a report card is signed by a teacher or other school official designated by the principal, the person signing the report card shall indicate that he or she is signing for, and on behalf of, the principal and shall give the name of the principal);
- a teacher's signature, if desired, in addition to the official signature;
- where applicable, a reference to the grade to which a pupil is promoted;
- the date sent.

6.3.2 Space for Comment

The report card shall contain space for comment by the student or by the parent or guardian of the student.

6.3.3 Statement to Students and Parents

The report card shall contain the following statement:

> "To Students and Parents
> "This copy of the report card should be retained for future reference. The original or a true copy has been placed in the record folder and will be retained for five years after the pupil retires from school. Every effort has been made to ensure that all entries made are a clear indication of the achievement of the pupil. If you wish to review the information contained in the record folder, please contact the principal.
> "A pupil, and the parent or guardian (if the pupil has not attained the age of eighteen years), is entitled to access the record of the pupil."

6.3.4 Program of Study

There shall be, as part of a report card:

- a concise statement of the program of study undertaken by the pupil, sufficient to enable a teacher to understand the objectives, content, and degree of difficulty of the courses included in the program of study. The statement may be part of the report card or appended to the report card;
- for each program of study undertaken by the student, an anecdotal description, a percentage mark, a letter grade, or some other indication of the pupil's level of achievement in that program of study, or a statement that there has been insufficient time to assess the achievement of the pupil;
- the credit value of the course, expressed as an integer or a decimal;
- in respect of a course for which no credit may be awarded, the words "non-credit course";
- in secondary school, the common course code of the subject.

Information on the report card shall be useful and meaningful to pupils, teachers, and parents, who need to know what the pupil has accomplished in relation to the expectations set for the particular course or subject. Information may be included indicating where the pupil has difficulties and whether special help is required. Suggestions may also be made about the pupil's placement.

If more than one final report card is issued per year, or if the pupil is repeating a year, the report cards should be stapled together, with the most recent one on top, and identified sequentially by the grade and a number designation: for example, "Grade 5–1", "Grade 5–2".

When a pupil transfers or retires after being registered six weeks or more in a school, a report card shall be placed in the OSR that clearly indicates, where applicable, a special program, grade, and level of difficulty. In order to facilitate placement when the pupil re-enters school, this report card shall include whichever one of the following items is available:

a) a description of the program of study and achievement of the pupil where possible;
b) the latest term report with information as in (a);
c) a midterm report with information as in (a);
d) a copy of the pupil's timetable with a notation that in the opinion of the principal there has been an insufficient interval of class time to enable teachers to assess the pupil's achievement.

6.4 Copy to Student or to Parents or Guardian

As each report card is completed and incorporated into the Student Record folder, the original or a true copy of this form shall be forwarded:

- to the student, if the student has reached the age of eighteen years;
- to the parents or guardian of the student, if the student has not reached the age of eighteen years.

6.5 Interim Reports

A school may issue as many interim report cards as deemed appropriate; however, only the report card issued at the end of the school year, at the end of each semester (if a school is organized on a semester plan), or at the time of transfer or retirement must be filed in the Student Record folder.

7. Documentation File

A folder in the form approved by the ministry and inserted in the OSR folder is referred to as the *documentation file*. This file is to hold documents which, in the opinion of the principal, may facilitate and enhance the instruction of the pupil. Such documents might include:

- a custody order, a change of name order, a request to be named by repute, or a request for correction or deletion from the record (these documents shall be filed—see Reg. 271);
- documentation in connection with identification, placement, and review determinations by a committee, appeal board, or tribunal;
- a report of an individual psychological assessment;
- a report of a Supervised Alternative Learning for Excused Pupils committee;
- letters of request from a parent.

The contents of the documentation file are to be reviewed regularly to ensure that they continue to be beneficial to the instruction of the pupil and shall be removed if and when they are found to no longer be so.

7.1 Documents Provided by Third Parties

Data or reports that have originated with external consultants (not employees of the board) or outside agencies (e.g., social agencies or private psychologists) are frequently provided with the expectation that only the principal or certain designated staff will have access to them.

7.1.1
It is important that outside agencies be informed about:

- right of access (see section 13 of this manual);
- the protection afforded the reports of these agencies if the reports are placed in the OSR.

7.1.2
Reports from these third parties should be added to the OSR only if *all* of these conditions are met:

- the agency is aware of and accepts the concepts of pupil and/or parent access and teacher access (a request to a third party for information should state, "This report will be placed in the pupil's school record (OSR)");
- a parent, or the pupil who is an adult, agrees to include the report;
- the principal is of the opinion that the report will contribute to the improvement of instruction.

7.1.3
If the agency, the parent, or the adult pupil does not consent to including the report in the OSR, then the principal should make a notation (with the consent of the parent or the adult pupil) on Part H of the OSR that the report was received, and then the report should be returned to the third party.

7.1.4
If a report from a third party is included in the OSR, and a parent or adult pupil requests to examine the OSR, the principal should refer the parent or pupil to the originator of the report for a full interpretation, but the principal may not withhold the report from examination by the parent or pupil.

7.1.5
Reports from third parties should not be released to any other party. Rather, a request for such a report should be referred to the originator of the report.

7.1.6
Third-party reports in the OSR should be transferred with the OSR unless the principal is of the opinion that they will no longer contribute to the improvement of instruction.

8. Inserts

Documents, photographs, and any written information that may, in the opinion of the principal, be beneficial to teachers in the instruction of the pupil may be inserted in the record folder. The date of insertion shall be recorded on the insert.

9. Instruction in French

The form "Student Record of Accumulated Instruction in French as a Second Language" is part of the Ontario Student Record.

It should be noted that one side of the card is for Junior Kindergarten to Grade 8, and the other, for Grades 9 to 12; the total accumulated hours at the end of Grade 8 are to be entered on the side for Grades 9 to 12.

9.1 Completing the Card

9.1.1
The cards will be completed annually in June. A card is required only for pupils who are enrolled in a French as a second language program.

9.1.2
An individual record of accumulated instruction in French must be completed for:

- a pupil who has studied French as a second language in more than one jurisdiction;
- a pupil who has repeated a year in which there was French as a second language instruction (both years should be counted);
- a pupil in a school board that has offered various starting points for French, and French programs of varying intensities.

9.1.3
Where a pupil has attended several schools, and information about earlier years is difficult to obtain, the entries on the card may be started from the date of enrolment in an Ontario school. In such cases, a note should be made on the first lines of the card indicating what is known about a pupil's previous work in French. This note should mention any extended or immersion programs. Where the number of accumulated hours must be estimated, an annotation should indicate that the figure is approximate.

9.1.4
Although it is the principal who is responsible for the accurate completion of each pupil's record, the French teacher, and possibly the homeroom teacher, should also be involved in the completion of the French record card.

9.1.5
Where a formal summer school program in French as a second language has been taken by the pupil, a separate line should be used for that program.

9.1.6
When a pupil changes program in midyear, transfers to another school, or retires, the amount of time spent in each program should be entered in the left column of the card ("School Year"), to the right of the vertical dotted line.

9.1.7
During the years in which pupils are attending school, the French record cards may be kept outside the OSR folder. The French teachers may be in charge of the French record, or some other such arrangement may be made. When pupils leave school or graduate, their records should be returned to the OSR folder.

9.1.8
Where the principal of a secondary school is satisfied that all the pupil information referred to in the regulation can be ascertained from the entries on the record folder and the report cards taken together, information about a French as a second language program taken in the secondary school is not required to be entered on the pupil's record of French instruction.

9.2 Retention

The Student Record of Accumulated Instruction in French as a Second Language shall be retained for five years after the pupil retires from the school.

10. Office Index Card

The office index card is one of the seven components of the OSR system. Since OSR folders may be stored in areas other than the school office, such as a guidance office, this card is used to provide the school office personnel with immediate access to important personal and statistical data about pupils.

10.1 Required Information

The principal shall establish and maintain an office index card for each pupil enrolled in the school, and on the index card shall be recorded:

- the full name of the pupil as recorded on the record folder;
- the student number of the pupil if one has been provided by the school;
- the sex of the pupil;
- the date of birth (year, month, day) of the pupil and the source of verification thereof;
- the name of the father and mother, or guardian, of the student;
- the name, if applicable, of the parent who has custody of the pupil and whether such custody is exclusive;
- the current address and home telephone number of the pupil, and an emergency telephone number if the parent or guardian has provided such a number;
- the date (year, month, day) on which the pupil enrolled in the school and the date on which the pupil transfers to a receiving school or retires from school;
- the name and address of the school to which the pupil transfers and the date on which the pupil is transferred;
- the address of the pupil on the date of transfer from the school or on the date of retirement from school;
- the name and address, or some other means of identification, of the school sufficient to identify the source of the index card.

10.2 Additional Information

In addition to the above information, the principal may record on the index card:

- information about professional practitioners and advisors currently working with the student;
- the pupil's means of transportation to and from school;
- such other information as the principal considers relevant to assist in locating the student or in obtaining assistance for the student in case of an emergency;
- a procedure to be followed in respect of an identified health condition of the pupil;
- any other information that may, in the opinion of the principal, be beneficial to teachers in the instruction of the pupil.

10.3 Retention

The index card shall remain at the school during the period in which the pupil is enrolled at the school. When the student transfers to another school or retires from school, the index card shall be stored at the school or at a central record office provided by the board for a period of fifty-five years after the pupil retires from the school.

11. Review of Contents

The Ontario Student Record contents should be reviewed at regular intervals to ensure relevance of materials to the instruction of the pupil.

The Ontario Student Record should be thoroughly reviewed by the principal before it is transferred to a receiving school.

12. Incomplete, Lost, or Destroyed Record Folder

An OSR that has not been organized or completed in accordance with this manual must be updated by the school in which the pupil is enrolled.

If an OSR is lost or destroyed, a new OSR must be created with as much previous information as can be obtained. Reference can be made to the office index card(s) at the present and previous school(s). A notation should be made, in the margin on the front of the folder, indicating that the original OSR was lost or destroyed and giving the date on which the new folder was created.

13. Right of Access

The principal has a responsibility to indicate to pupils and parents their right of access to pupil records, which is as follows:

- Every pupil is entitled to examine his or her record.
- A parent or guardian of a pupil who has not reached the age of majority is entitled to examine the record. In the absence of a court order or separation agreement denying right of access, both parents have the right of access. A parent or guardian of a pupil may request a copy of material in the Ontario Student Record. However, release of copies of such materials is not provided under Regulation 271.

In addition to the right of access of the pupil and parent as described above, a pupil record is available for the use of supervisory officers and the principal and teachers of the school for the improvement of instruction of a pupil. Such record:

- is not available to any other person;
- is not admissible in evidence for any purpose in any trial, inquest, inquiry, examination, hearing, or other proceedings, except to prove the establishment, maintenance, retention, or transfer of the record, without the written permission of the parent or guardian of the pupil or, where the pupil is an adult, the written permission of the pupil.

13.1 Legal Procedure

13.1.1 Civil Suit

In some situations, a court order is received for records pertaining to a civil suit. In these situations, the ministry advises that the pupil record be produced in accordance with the court order. However, the decision should be appealed, or at least the judge should be informed that the order appears to be in contravention of the Education Act.

13.1.2 Child Welfare Act *(soon to be the Child and Family Services Act)*

Under the Child Welfare Act, 1978, section 50, it is now possible for a court to order a principal of a school to produce for inspection and reproduction the Ontario Student Record of a pupil. A court can make such an order after an applicant from the Children's Aid Society has satisfied the court that there are reasonable grounds to believe that the OSR may help the court to determine whether abuse has been or is likely to be inflicted on a child. No record should be released without the appropriate court order. It should be noted that, in this provision only, the Child Welfare Act, 1978 supersedes the Education Act.

13.1.3 Criminal Code

Occasionally a school principal is served with a search warrant requiring the surrender of the pupil record to the police, or a subpoena is served in a prosecution of a criminal offense that requires a school principal to attend as a witness in court with respect to the pupil record. The proceedings under the Criminal Code take precedence over the Education Act, so the principal is obliged to comply with these court orders.

It should be stressed again that a pupil record should not be surrendered in court unless there is an appropriate court order.

14. Attendance Registers

The principal should note that attendance registers are not part of the OSR folder and hence he or she has the discretionary power to reveal the record of pupil attendance to a third party.

15. Right of Challenge

Where the information contained in a pupil's record is believed to be inaccurately recorded or not conducive to the improvement of the instruction of the pupil, the parent or guardian of a pupil under the age of eighteen, or the pupil who is an adult, may request in writing that the principal correct the alleged inaccuracy or remove the objectionable information from the record.

16. Legal Protection

For the protection of all persons authorized to establish and maintain student records, the following excerpt from the Education Act is to be noted:

"No action shall be brought against any person in respect of the content of a record" (section 237(8)).

17. Right of Appeal

Where the principal refuses to comply with a request made under the right of challenge, the pupil or parent or guardian who made the request may demand, in writing, that the principal refer the request to the appropriate supervisory officer, who shall:

- require the principal to comply with the request; or
- submit the record and the request to a person designated by the Minister. The person designated by the Minister shall hold a hearing at which the principal and the person who made the request are parties, and the person so designated shall, after the hearing, decide on the matter. This decision is final and binding upon all parties to the proceedings.

18. Release of Information

Nothing in the Education Act or in the regulations pertaining to pupil records prevents the compilation and delivery of such information as may be required by the Minister or the school board.

Where a written request is made by a former pupil, an adult pupil, or the parent or guardian of a minor pupil, the principal may use information from the pupil's record to assist in the preparation of:

- a report for an educational institution;
- a report in respect of an application for further education;
- a report in respect of an application for employment.

19. Transfer of Records

When a pupil transfers from a school in one province of Canada to a school in another province, information regarding the pupil's record of studies and achievement is sometimes unavailable to the receiving school or is received only after a considerable delay.

The pupil report card that is provided by the sending school to transferring pupils who have been enrolled for six weeks or more will, of course, be of some assistance in determining the appropriate placement for the pupil. However, the report card deals only with the current year, so most receiving schools will wish to have the more extensive information provided in the record folder.

Ontario Regulation 271 requires that the original pupil record be retained within Ontario. It also provides that the principal of the sending school may send a true copy of the information contained in the pupil record by registered mail to the receiving educational institution, provided that the principal of the sending school receives a request from the principal of that institution and a request in writing signed by the pupil, if the pupil is eighteen or over, or the parent or guardian if the pupil is under eighteen.

Although sending a true copy of the information contained in the pupil record is not mandatory, this ministry expects that, under normal circumstances, a request from an educational institution in another jurisdiction for a true copy of the information contained in a pupil record will receive a positive response.

As a means of expediting the transfer of such information, principals may find it useful to obtain the request in writing required by section 29(1) of Regulation 271 by sending with the pupil a brief statement to the principal of the receiving educational institution indicating that such a request is required. A form containing this brief statement is shown in Appendix F. The conditions governing the transfer of pupil records are outlined in Appendix H.

20. Confidentiality of Records

The principal shall ensure that clerks, secretaries, and paraprofessionals responsible for processing the OSR folder and the office index card are aware of section 237(10) in the Education Act, concerning the confidentiality of student records.

21. Storage

Because these records contain privileged information, care should be taken to ensure their security.

The record folder shall be retained in the school or in the central records office of the school board for fifty-five years after the pupil's retirement from school.

The office index card shall be retained in the school or central records office of the board for fifty-five years after the pupil's retirement from school.

Where a pupil record or any part thereof has been micro-recorded or stored on computer files in a manner that permits a clear and legible reproduction to be printed, the requirements for storage of a pupil record shall be considered to have been met. Schools that have micro-recorded any part of the Ontario Student Record must forward appropriate hard copy of the required Ontario Student Record to a receiving school when a student transfers. It is recommended that good data processing business practice be followed if any part of a pupil's record is on computer storage. This includes backup procedures, off-site storage, and security of records. The principal is responsible for the Ontario Student Record, regardless of the storage medium.

Where a record folder has been micro-recorded in a manner that permits a reproduction to be printed, the record folder may be destroyed five years after the pupil retires from school. The micro-recording or computer files shall be retained for a period of fifty-five years after the retirement of the pupil.

22. Retention

The following components *will be retained for fifty-five years* after a pupil retires from school:

- the office index card
- the OSR folder
- the Ontario Student Transcript

The following components *will be retained for five years* after a pupil retires from school:

- the final pupil report cards
- the documentation file
- the record of instruction in French as a second language
- the record of Linkage program
- any other inserts judged by the principal to be valuable

23. Removal of Information

Where, in the opinion of the principal of a school, certain information or material that has been inserted in a record folder is no longer conducive to the improvement of instruction of the pupil, the principal may remove such information or material from the record folder and either give it to the pupil or the parent or guardian or destroy it. Such information might include:

- notes from parents, principal, or teachers that will not help future teachers in planning the instructional program for the pupil;
- pieces of the pupil's work that are more than two years old;
- information gathered as part of the Early Identification Program once the pupil is no longer enrolled in an elementary school.

24. Disposal of Information

The report cards and Student Record of Accumulated Instruction in French as a Second Language forms may be destroyed five years after the pupil has retired from school.

The documentation file and other inserts shall be retained five years after the pupil has retired from school, after which these inserts shall be destroyed.

Destruction of all or any part of a pupil record that is no longer required to be retained shall be effected under conditions that ensure complete and confidential disposal of the pupil record.

25. Additional Suggestions

1. Boards may wish to prepare their own operating manuals, which might include such items as guidelines for determining which inserts are no longer beneficial to the instruction of their pupils.

2. Boards may wish to designate a supervisory officer to act as a liaison person and leader in the ongoing implementation of the OSR system.

3. Boards should continue a systematic program of evaluation to ensure that the objectives for the OSR system are being achieved in practice.

4. To facilitate the transfer of a pupil to an out-of-province school, the principal may give the pupil or his or her parents a copy of the Ontario Student Transcript and a copy of the most recent report card.

Appendix A
Excerpts From the Education Act

Definitions[1]

"board"	Means a board of education, public school board, secondary school board, Roman Catholic separate school board or Protestant separate school board.
"credit"	Means a recognition granted to a pupil by a principal as *prima facie* evidence that the pupil has successfully completed a quantity of work that, i. has been specified by the principal in accordance with the requirements of the Minister, and ii. is acceptable to the Minister as partial fulfilment of the requirements for the Secondary School Graduation Diploma or the Secondary School Honour Graduation Diploma, as the case may be; 1982, c.32, s.1(1), part.
"intermediate division"	Means the division of the organization of a school comprising the first four years of the program of studies immediately following the junior division.
"guardian"	Means a person who has lawful custody of a child, other than the parent of the child.
"judge"	Means the judge of the county or district court of the county or district in which the head office of the board is situate.
"junior division"	Means the division of the organization of an elementary school comprising the first three years of the program of studies immediately following the primary division.
"Minister"	Means the Minister of Education.
"Ministry"	Means the Ministry of Education.
"primary division"	Means the division of the organization of an elementary school comprising junior kindergarten, kindergarten and the first three years of the program of studies immediately following kindergarten.
"principal"	Means a teacher appointed by a board to perform in respect of a school the duties of a principal under this Act and the regulations.
"private school"	Means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section.
"regulations"	Means the regulations made under this Act.
"school"	Means, i. the body of public school pupils or separate school pupils or secondary school pupils that is organized as a unit for educational purposes under the jurisdiction of the appropriate board, or ii. the body of pupils enrolled in any of the elementary or secondary school courses of study in an educational institution operated by the Government of Ontario, and includes the teachers and other staff members associated with such unit or institution and the lands and premises used in connection therewith.

1. Education Act, Revised Statutes of Ontario, 1980, Chapter 129, section 1(1). Additional definitions are contained in section 1 of Regulation 271.

"school day"	Means a day that is within a school year and is not a school holiday.
"school year"	Means the period prescribed as such by, or approved as such under, the regulations.
"secondary school"	Means a school that is under the jurisdiction of a secondary school board.
"senior division"	Means the division of the organization of a secondary school comprising the three years of the program of studies following the intermediate division.
"special education program"	Means, in respect of an exceptional pupil, an educational program that is based on and modified by the results of continuous assessment and evaluation and that includes a plan containing specific objectives and an outline of educational services that meets the needs of the exceptional pupil.
"special education services"	Means facilities and resources, including support personnel and equipment, necessary for developing and implementing a special education program.
"supervisory officer"	Means a person who is qualified in accordance with the regulations governing supervisory officers and who is employed, i. by a board, or ii. in the Ministry and designated by the Minister, to perform such supervisory and administrative duties as are required of supervisory officers by this Act and the regulations; R.S.O. 1980, c. 129, s. 1(1), pars. 62–65.
"teacher"	Means a person who holds a valid certificate of qualification or a letter of standing as a teacher in an elementary or secondary school in Ontario; R.S.O. 1980, c. 129, s. 1(1), par. 66; 1982, c. 32, s. 1(2).

Section 237: Pupil Records

Interpretation	237. – (1) In this section, except in subsection (12), "record" in respect of a pupil means a record maintained or retained by the principal of a school in accordance with the regulations.
Pupil records privileged	(2) A record is privileged for the information and use of supervisory officers and the principal and teachers of the school for the improvement of instruction of the pupil, and such record, (a) subject to subsections (3) and (5), is not available to any other person; and (b) except for the purposes of subsection (5), is not admissible in evidence for any purpose in any trial, inquest, inquiry, examination, hearing or other proceedings, except to prove the establishment, maintenance, retention or transfer of the record, without the written permission of the parent or guardian of the pupil or, where the pupil is an adult, the written permission of the pupil.
Right of parent and pupil	(3) A pupil, and his parent or guardian where the pupil is a minor, is entitled to examine the record of such pupil.

Idem

(4) Where, in the opinion of a pupil who is an adult, or of the parent or guardian of a pupil who is a minor, information recorded upon the record of the pupil is,

(a) inaccurately recorded; or

(b) not conducive to the improvement of instruction of the pupil,

such pupil, parent or guardian, as the case may be, may, in writing, request the principal to correct the alleged inaccuracy in, or to remove the impugned information from, such record.

Reference where disagreement

(5) Where the principal refuses to comply with a request under subsection (4), the pupil, parent or guardian who made the request may, in writing, require the principal to refer the request to the appropriate supervisory officer who shall either require the principal to comply with the request or submit the record and the request to a person designated by the Minister, and such person shall hold a hearing at which the principal and the person who made the request are the parties to the proceedings, and the person so designated shall, after the hearing, decide the matter, and his decision is final and binding upon the parties to the proceedings.

Use re further education or employment

(6) Nothing in subsection (2) prohibits the use by the principal of the record of a pupil to assist in the preparation of,

(a) a report required by this Act or the regulations; or

(b) a report,

(i) for an educational institution or for the pupil or former pupil, in respect of an application for further education, or

(ii) for the pupil or former pupil in respect of an application for employment,

where a written request is made by the former pupil, the pupil where he is an adult, or the parent or guardian of the pupil where the pupil is a minor.

Information for Minister or board

(7) Nothing in this section prevents the compilation and delivery of such information as may be required by the Minister or by the board.

No action re content

(8) No action shall be brought against any person in respect of the content of a record.

Testimony re content

(9) Except where the record has been introduced in evidence as provided in this section, no person shall be required in any trial or other proceedings to give evidence in respect of the content of a record.

Secrecy re contents

(10) Except as permitted under this section, every person shall preserve secrecy in respect of the content of a record that comes to his knowledge in the course of his duties or employment, and no such person shall communicate any such knowledge to any other person except,

(a) as may be required in the performance of his duties; or

(b) with the written consent of the parent or guardian of the pupil where the pupil is a minor; or

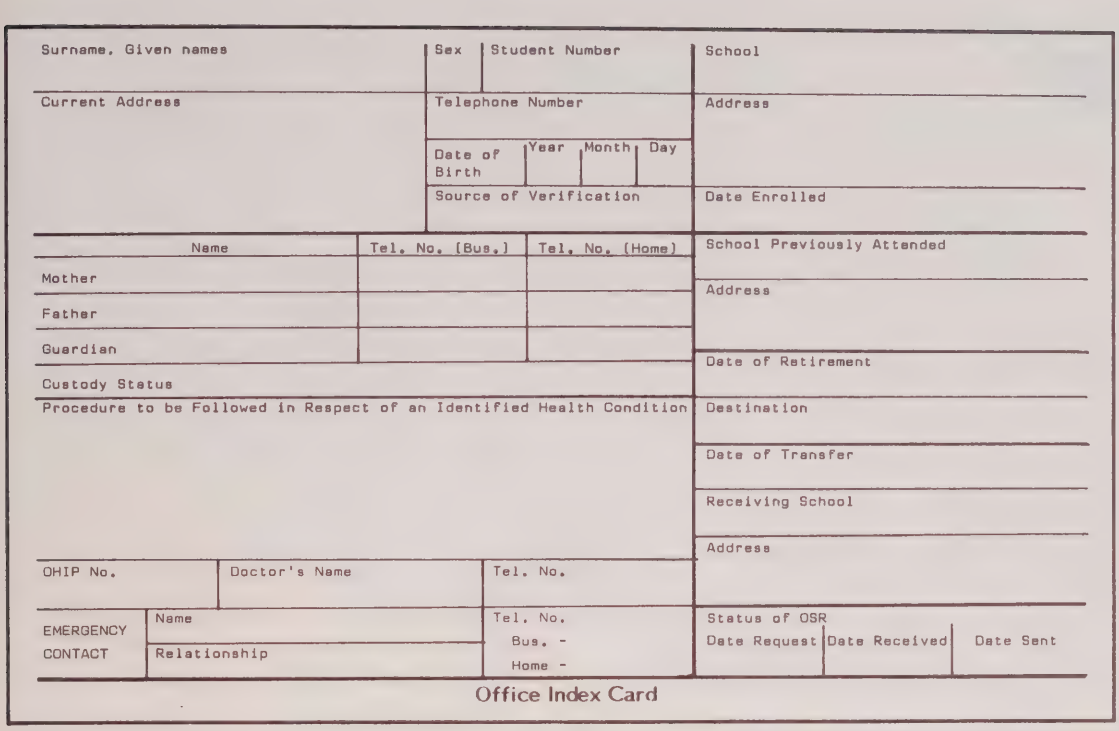
(c) with the written consent of the pupil where the pupil is an adult.

Interpretation	(11) For the purpose of this section, "guardian" includes a person, society or corporation who or that has custody of a pupil.
Applications to former records	(12) This section, except subsections (3), (4) and (5), applies with necessary modifications to a record established and maintained in respect of a pupil or retained in respect of a former pupil prior to the 1st day of September, 1972.
Use of a record in disciplinary cases	(13) Nothing in this section prevents the use of a record in respect of a pupil by the principal of the school attended by the pupil or the board that operates the school for the purposes of a disciplinary proceedings instituted by the principal in respect of conduct for which the pupil is responsible to the principal. R.S.O. 1980, c. 129, s. 237.

Appendix B Regulation 271 Pupil Records

Copies will be forwarded to schools when they become available.

Appendix C
Sample Office Index Card



Office Index Card

Appendix D
Sample Part H Insert

H

OSR Part H: Additional Information (optional)

Surname, Given Names	Sex	Student Number	Birthdate Year Month Day

1. Pupil Information

Date Year Month Day	Street Apt. No.	Municipality	Postal Code	Home Phone

Father's Name Business Phone	Mother's Name Business Phone	Guardian/Agency Contact	Phone	Noon/Emergency Name of Contact	Phone

Sibling Information	Languages Spoken

2. Teacher Administered Standardized Tests

Date of Test Year Month Day	Grade	Name of Standardized Test Name of Sub-tests and Form	Score/Results	Remarks

3. Summary of Parent Contacts, Pupil Interviews, Decisions and Recommendations

Date Year Month Day	Grade		Signature

4. **Referrals**
(e.g. Student Services, Agencies)

Date Year Month Day	Grade		Signature

Appendix E

Request for Ontario Student Record from a private school*

Please forward the Ontario Student Record for:

_____

Surname First Middle

who has enrolled in Grade _____ at

_____

Name of School

_____

Address

_____

This is to certify that this is a private school inspected by supervisory officials of the Ministry of Education, Ontario.

I hereby agree to accept responsibility for the records, and to use, maintain, protect, and transfer the records following the procedures outlined in the manual authorized for use with the Ontario Student Record system.

_____

Principal

_____

Date

Appendix F

Student Transfer Form

_____

Date

_____

Name of School

_____

Address

This is to certify that

_____

was enrolled in Grade _____ in this school.
The last attendance date was _____.

The Ontario Student Record will be forwarded upon receipt of a request form. He/she has been provided with a copy of his/her latest report card.

_____

Principal

*For non-inspected private schools, a written request by the parent or adult student for the transfer of the record is also required. In addition, principals must check that a school is registered with the Ministry of Education before the record is sent.

Appendix G

Request for Ontario Student Record

_____
Date

This is to inform you that

_____

was admitted to this school on

_____
Date

Please forward the Ontario Student Record.

I would/would not like to receive this information in computerized form.

_____
Principal

_____
School

_____
Address

_____
Your Board Code

_____
Your School Code

_____
Your Student I.D. No.

_____
Our Board Code

_____
Our School Code

_____
Our Student I.D. No.

Appendix H

Transfer of Pupil Records

Conditions Governing Transfer

To elementary and secondary schools	Requires written consent of the parent or legal guardian and/or student	Requires written request for student records from receiving school*	Requires written assurance from receiving school that it will maintain, transfer, and dispose of the student record in accordance with the Act and Regulation	Special notes
In Ontario within an individual board	No	No	No	May be transferred by delivery service provided by the board *or* by first class mail
In Ontario under a divisional board of education	No	Yes	No	First class mail
In Ontario under a public school board	No	Yes	No	First class mail
In Ontario under a separate school board	No	Yes	No	First class mail
Under the Ontario Ministry of Education (schools for the blind and deaf; Developmental Centre Schools; Demonstration Schools; and Training Schools)	No	Yes	No	First class mail
Under the Ontario Ministry of Correctional Services	No	Yes	No	First class mail
In Ontario private schools (inspected)†	No	Yes	Yes	First class mail
In Ontario private schools (not inspected)†	Yes	Yes	Yes	First class mail
Under the Department of National Defence of the Government of Canada anywhere in the world	No	Yes	Yes	First class mail
Under the Department of Indian Affairs	No	Yes	Yes	First class mail
Outside Ontario – *No transfer of original record folder. A true copy* of the information may be forwarded.	Yes	Yes	Not applicable	True copy only by first class mail

*See Appendix G for a sample of the form to be used in transfers.

†As defined in the Education Act, 1983, section 1, subsection 1(40). For the procedures to be followed with respect to pupil records when a private school ceases to operate, see Regulation 271.

Appendix I
Custody and Guardianship of Minors

Ministry of Education
Ontario

Issued under the authority of the Deputy Minister of Education

Policy/Program Memorandum No. 76

Date of Issue: June 13, 1983 Effective: Until revoked or modified

Subject: CUSTODY AND GUARDIANSHIP OF MINORS

Application: Chairmen of School Boards
Directors of Education
Principals of Schools

The Ministry has had a number of inquiries since the passage of the Children's Law Reform Amendment Act, 1982 (Bill 125) concerning the effect of the changes made by that legislation in the traditional meaning of the term "guardian". The legislation has other significant implications for the schools, particularly with respect to the right of a separated parent to have access to information about a child's education and with respect to the determination of a pupil's right to attend school in a particular jurisdiction.

Bill 125 received Royal Assent on June 25, 1982 and was proclaimed in force on October 1, 1982. It is now chapter 20 of the Statutes of Ontario, 1982.

The legislation creates a clearer distinction than existed heretofore between custody of the person of the child, which has implications for the schools, and guardianship of the property of the child, which usually will not have implications for schools. It also establishes more definitively the rights which accompany entitlement to access to a child.

Section 20 of the Act has particular relevance to matters with which schools may be concerned. Section 20 now reads as follows:

20.- (1) Except as otherwise provided in this Part, the father and the mother of a child are equally entitled to custody of the child.

(2) A person entitled to custody of a child has the rights and responsibilities of a parent in respect of the person of the child and must exercise those rights and responsibilities in the best interests of the child.

(3) Where more than one person is entitled to custody of a child, any one of them may exercise the rights and accept the responsibilities of a parent on behalf of them in respect of the child.

(4) Where the parents of a child live separate and apart and the child lives with one of them with the consent, implied consent or acquiescence of the other of them, the right of the other to exercise the entitlement to custody and the incidents of custody, but not the entitlement to access, is suspended until a separation agreement or order otherwise provides.

(5) The entitlement to access to a child includes the right to visit with and be visited by the child and the same right as a parent to make inquiries and to be given information as to the health, education and welfare of the child.

(6) The entitlement to custody of or access to a child terminates on the marriage of the child.

(7) Any entitlement to custody or access or incidents of custody under this section is subject to alteration by an order of the court or by separation agreement.

In general, this means that a non-custodial parent of a child is entitled to examine the child's pupil record, under the provisions of subsection 237(3) of the Education Act, unless a court order or separation agreement states that such parent is not entitled to access to the child; but that only a parent or other person having custody can claim for the child the right to attend school without payment of a fee.

Problems may arise with respect to court orders and separation agreements made before this new legislation came into effect or with respect to orders or agreements made outside Ontario. If the wording of an order or agreement does not make clear whether the person claiming the right to enrol a child or to examine a pupil record has custody or is entitled to access, as the case may be, the matter should be referred to a solicitor.

37-1241

The legislation also made two complementary amendments to the Education Act.

(a) Paragraph 1(1)(22) now reads,

> "guardian" means a person who has lawful custody of a child, other than the parent of the child.

(b) Section 17, which relates to the responsibility of persons having the care of a child of compulsory school age to cause the child to attend school, has been changed slightly to make it consistent with the change noted in (a). Section 17 now reads,

> In sections 20, 22, 25, 27 and 29, "guardian", in addition to having the meaning ascribed in section 1, includes any person who has received into his home another person's child who is of compulsory school age and is resident with him or in his care.

The term "guardian", wherever it appears in the Education Act or the regulations made thereunder (except in sections 20, 22, 25, 27 and 29), should therefore continue to be interpreted as referring to the person who has custody of the child, notwithstanding the fact that it now carries a different meaning in the Education Act than it does in the Children's Law Reform Act.